

House Watch

A summary of today's House actions;
published daily when the House is in session.



6/27-28/08

CONFERENCE REPORTS

[SB 1093](#) (Hardiman)

Community colleges appropriations for fiscal year 2008-2009.

- The conference report was adopted [RC 631: 102 yes, 5 no]

[SB 1094](#) (Kahn)

Department of Community Health appropriations for fiscal year 2008-2009.

- The conference report was adopted [RC 690: 75 yes, 30 no]

[SB 1095](#) (Cropsey)

Department of Corrections appropriations for fiscal year 2008-2009.

- The conference report was adopted [RC 676: 67 yes, 40 no]

[SB 1096](#) (Jelinek)

Department of Education budget for fiscal year 2008-2009.

- The conference report was adopted [RC 632: 86 yes, 21 no]

[SB 1097](#) (Garcia)

Department of Environmental Quality appropriations for fiscal year 2008-2009.

- The conference report was adopted [RC 677: 66 yes, 41 no]
- IE was ordered

SB 1099**(Stamas)**

Higher Education appropriations for fiscal year 2008-2009.

- The conference report was adopted [RC 633: 92 yes, 15 no]

SB 1106**(McManus)**

Department of Natural Resources appropriations for fiscal year 2008-2009.

- The conference report was adopted [RC 678: 83 yes, 24 no]

HB 5804**(Vagnozzi)**

Department of History, Arts, and Libraries appropriations for fiscal year 2008-2009.

- The conference report was adopted [RC 625: 92 yes, 15 no]
- IE was ordered

HB 5807**(Espinoza)**

Department of Agriculture appropriations for fiscal year 2008-2009.

- The conference report was adopted [RC 624: 100 yes, 6 no]

HB 5809**(Hammel)**

Department of Labor and Economic Growth appropriations for fiscal year 2008-2009.

- The conference report was adopted [RC 628: 73 yes, 34 no]
- IE was ordered

HB 5810**(Gillard)**

Judiciary appropriations for fiscal year 2008-2009.

- The conference report was adopted [RC 627: 100 yes, 7 no]

HB 5811**(LeBlanc)**

Department of State Police appropriations for fiscal year 2008-2009.

- The conference report was adopted [RC 630: 102 yes, 5 no]

HB 5812**(LeBlanc)**

Department of Military and Veteran Affairs appropriations for fiscal year 2008-2009.

- The conference report was adopted [RC 629: 107 yes, 0 no]

HB 5814**(Spade)**

Department of Human Services appropriations for fiscal year 2008-2009.

- The conference report was adopted [RC 626: 62 yes, 45 no]

MESSAGES FROM THE SENATE

HB 5282**(V. Smith)**

House Bill 5282 (S-5) would add Chapter 37A (Individual Health Coverage Plans) to the Insurance Code to establish regulations for individual health insurance policies and certificates applicable to all carriers, i.e., insurers, health maintenance organizations (HMOs), and Blue Cross and Blue Shield of Michigan (BCBSM). Specifically, the bill would do the following:

- Prohibit BCBSM, or an HMO during its open enrollment period, from refusing to cover an individual due to any past or current medical condition, history, or treatment.
- Require a carrier to renew or continue an issued plan at the individual's option.
- Require a health benefit plan rate filing to include a loss ratio guarantee, and cap the loss ratio for a carrier that was not BCBSM or an HMO at 60%.
- Require an insurer annually to submit to the Commissioner of the Office of Financial and Insurance Regulation (OFIR) information showing the actual loss ratio for the rating period, and require BCBSM also to submit this information to the Attorney General.
- Require a carrier to issue refunds or rate credits to individuals in a plan if the actual loss ratio did not equal or exceed the loss ratio guarantee.
- Authorize the Attorney General to bring an action or apply for a court order to enforce a rate credit order for a BCBSM plan.
- Allow a carrier to establish geographic areas for adjusting health benefit plan premiums.
- Allow a carrier to exclude or limit coverage for a condition only if medical advice, diagnosis, care, or treatment for the condition were recommended or received in the six months before the enrollment and the exclusion or limitation did not extend for more than six months after the effective date of the policy or contract.
- Require a carrier to take certain actions in order to discontinue a particular individual benefit plan.
- Require a carrier to take certain actions in order to discontinue all coverage in the individual market; and prohibit the carrier from offering individual plans for five years.
- Prohibit a carrier from discouraging an individual from seeking coverage due to his or her health status or claims experience; or providing for varied compensation to producers or the termination of an agreement with a producer based on an individual's health status or claims

experience.

The bill also would require the OFIR Commissioner, by October 1, 2009, to determine the statewide status of competition in the individual market and conduct a feasibility study and provide recommendations concerning the establishment of a health coverage risk pool for high-risk individuals; and issue a report to the Governor and the Legislature.

- The House **nonconcurred** in the Senate substitute S-5 [RC 643: 26 yes, 78 no]

HB 5283

(Gaffney)

House Bill 5283 (S-4) would amend the Nonprofit Health Care Corporation Reform Act to do the following:

- Require BCBSM to issue an annual report detailing how it fulfilled its charitable and social obligations.
- Provide that BCBSM would be subject to proposed Chapter 37A of the Insurance Code.
- Require the appointment of two additional public members to BCBSM's board of directors.
- Allow the rates charged for nongroup, group conversion, and Medicare supplemental coverage to include rate differentials based on the subscriber's health choices.
- Reduce the time line for rate filings, requested hearings, and OFIR petitions under the Act.

- The House **nonconcurred** in the Senate substitute S-4 [RC 644: 26 yes, 78 no]

HB 4050

(Miller)

House Bill 4050 (S-2) would amend the Michigan Consumer Protection Act to prohibit a person engaged in the retail sale of goods or services from doing any of the following:

- Refusing to accept a gift certificate, except after an expiration date that was at least five years after the purchase date.
- Restricting the holder of a gift certificate from using it in a manner that was consistent with its terms and conditions.
- Altering terms or conditions of a gift certificate after it was issued.
- Failing to disclose the terms and conditions of a gift certificate or card, or failing to disclose that terms and conditions applied.
- Refusing to accept a gift certificate and apply it to a purchase if its value were less than the purchase price.

- The House concurred with the Senate substitute S-2 [RC 613: 101 yes, 0 no]

HB 4065

(Mayes)

The bill would amend the Michigan Penal Code to require a person 18 years of age or older who was responsible for controlling the actions of a dog or wolf-dog cross and knew or had reason to know that the animal had bitten any individual, to remain on the scene until the requirements of Section 66 of the Code were fulfilled.

- The House concurred with the Senate substitute [RC 614: 93 yes, 0 no]
- IE was ordered

HB 4317

(Meadows)

House Bill 4317 (S-1) would amend the Act to prohibit a person engaged in the retail sale of goods or services from charging an inactivity fee or other service fee for the possession or use of a gift certificate. "Service fee" would not include any fee charged to and paid by a consumer in connection with the sale of a gift certificate, unless the fee were deducted or debited from the face value of the gift certificate. In addition, the Act provides that unfair, unconscionable, or deceptive methods, acts, or practices in the conduct of trade or commerce are unlawful, and contains a list of such practices. The Attorney General may bring an action to enjoin a method, act, or practice that violates the Act. The bill would include in the list of unlawful methods, acts, or practices a violation of the prohibitions proposed by House Bills 4050 (S-2), 4317 (S-1), and 4680 (S-1).

- The House concurred with the Senate substitute [RC 615: 99 yes, 0 no]

HB 4481

(Clack)

The bill (H-1) would create the "Foster Care Independence Act" to do the following:

-- Require the Department of Human Service (DHS) to establish a foster care independence program for young adults (individuals at least 14 years old but under 21) who had been placed in foster care because of child abuse or neglect, to help them make the transition to adulthood and self-sufficiency. -- Require the program to provide certain services, including help obtaining a high school diploma, assistance preparing for postsecondary education, vocational training, and life skills training, to young adults who were likely to age out of foster care. -- Require the DHS to provide assistance, including classes on interpersonal communication and living skills, educational support, and stipends to cover first month's rent, utility deposits, and security deposits, to eligible young adults in the program.

- The House concurred with the Senate amendments [RC 616: 97 yes, 0 no]

HB 4680

(Sak)

House Bill 4680 (S-1) would amend the Michigan Consumer Protection Act to prohibit a person engaged in the retail sale of goods or services from selling to a consumer a gift certificate that expired within a period of less than five years. For purposes of all three bills, "gift certificate" would mean a written promise or a gift card or other electronic payment device that meets all of the following:

-- Is usable at a single retailer, at an affiliated group of retailers that share the same name, mark, or logo, or at multiple, unaffiliated retailers or service providers.
 -- Is issued in a specified amount.
 -- May or may not be increased in value or reloaded.
 -- Is purchased or loaded on a prepaid basis for the future purchase or delivery of goods or

services.

-- Is honored upon presentation.

- The House concurred with the Senate substitute S-1 [RC 617: 92 yes, 8 no]
- IE was ordered

HB 4950

(Dean)

The bill (S-2) would amend the Michigan Renaissance Zone Act to redefine "renewable energy facility" as a facility that creates energy directly or fuel from the wind, sun, trees, grasses, biosolids, algae, agricultural commodities, processed products from agricultural commodities, or residues from agricultural processes, wood or forest processes, food production and processing, or the paper products industry. The term would include a facility that creates energy or fuels from solid biomass, animal wastes, or landfill gases. The term also would include a facility that focuses on research, development, or manufacturing of systems or components of systems used to create energy or fuel from the items described above. Currently, "renewable energy facility" means a system that creates energy from a process using agricultural crops or processed products from agricultural crops; residues from agricultural products, forest products, paper products industries, and food production and processing; trees and grasses grown specifically to be used as energy crops; and gaseous fuels produced from solid biomass, animal wastes, or landfills.

- The House concurred with the Senate substitute S-2 [RC 618: 100 yes, 0 no]

HB 4490

(Opsommer)

House Bill 4490 would repeal Section 9 of the handgun licensure act (MCL 28.429), which requires people who purchase or otherwise come into possession of a pistol in Michigan to obtain a safety inspection certificate from their local police department (or local sheriff, if they reside in a part of the state without an organized police department). That section also requires local law enforcement officials and the State Police to maintain records of safety inspection certificates. The bill would require state and local law enforcement officials to destroy all of their existing records of pistol safety inspections within one year.

- The House concurred in the Senate substitute S-2 [RC 661: 95 yes, 11 no]

SB 370

(Richardville)

Senate Bill 370 (S-2) would amend the handgun licensure Act to do the following:

- Repeal Section 9, which requires a person within Michigan who owns or comes into possession of a pistol to present it for safety inspection to the commissioner or chief of police of the city, township, or village where he or she resides.
- Require a person licensed to purchase a pistol to return two copies of a completed license to a licensing authority within 10 days after the date the pistol was purchased (as currently required) or obtained.
- Require an individual who purchased a pistol to forward two copies of the sales record to the police department of the city, village, or township, or to the sheriff of the county, in which the

purchaser resided within 10 days following the purchase; and require the police department or sheriff to forward a copy to the State Police within 48 hours after receiving the copies.

-- Allow a licensee to return the copies of the license to the licensing authority, and allow a purchaser to forward copies of the sales record to the police or sheriff, in person or by first-class or certified mail sent within the 10-day period. -- Provide that a licensee who failed to return copies of the license or an individual who failed to forward copies of the sales record would be responsible for a State civil infraction and could be fined up to \$250.

-- Require the court to notify the State Police of a State civil infraction determination and to notify the concealed weapons licensing board that issued the license if the infraction involved an individual with a concealed weapon license.

-- Allow a licensee to carry, use, possess, and transport the pistol only while he or she was in possession of his or her copy of the license, for 30 days beginning on the date of purchase.

-- Require licensing authorities or police departments and county sheriffs with the ability to enter data electronically into the pistol entry database to enter license or sales record information required by the State Police into the database, and require those without the ability to enter data electronically to provide that information to the State Police.

-- Require licensing authorities or police departments and county sheriffs to continue to provide to the State Police pistol descriptions required under Section 9 of the Act. -- Allow licensees to obtain a copy of the information in the database to verify its accuracy.

-- Prohibit a person from not possessing a pistol in this State without first having obtained a license for it.

- The House concurred in the Senate amendments [RC 662: 95 yes, 12 no]

HB 4491

(Sheltrown)

House Bill 4491 would repeal Section 228 of the Michigan Penal Code (MCL 750.228) under which a person who fails to have his or her pistol inspected as required is guilty of a misdemeanor punishable by imprisonment for up to 90 days, or a fine of up to \$100, or both. The bill would also eliminate other references to Section 9 and safety inspections contained in the Penal Code. House Bill 4491 is tie-barred to House Bill 4490, meaning it could not take effect unless both bills were enacted.

- The House concurred in the Senate substitute S-1 [RC 663: 91 yes, 16 no]

HB 4658

(Tobocman)

The bill (S-1) would amend the State Housing Development Authority Act to do the following:

-- Remove the Michigan Housing and Community Development Fund from the Department of Treasury and establish a fund of the same name within the Michigan State Housing Development Authority (MSHDA).

-- Allow MSHDA to solicit and accept aid from any person, government, or entity on behalf of the Fund, and to receive money or other assets from any source, including Federal funds, for deposit into the Fund.

-- Expand the Housing and Community Development Program to include the financing of development in a downtown area or adjacent neighborhood.

- Include municipalities, land bank fast track authorities, and partnerships organized to develop projects in downtown areas or adjacent neighborhoods, among applicants eligible for funding.
- Extend the uses of the Fund to foreclosure prevention and assistance, individual development accounts, predatory lending prevention and relief, and activities related to ending homelessness.
- Require MSHDA to consider advice provided by the Michigan Housing and Community Development Fund Advisory Committee (proposed by Senate Bill 1243).

- The House concurred with the substitute S-1 [RC 683: 105 yes, 1 no]

HB 4323

(Sheltrown)

The bill (S-1) would amend Part 811 (Off-Road Recreation Vehicles) of the Natural Resources and Environmental Protection Act to do the following:

- Allow specific counties in the Lower Peninsula, all of the counties in the Upper Peninsula, and the townships, cities, and villages in them to adopt ordinances authorizing the operation of ORVs on the maintained portion of streets and roads.
- Allow the board of county road commissioners to close up to 30% of the linear miles of roads located within the county or township to ORV operation to protect the environment or if the operation of ORVs posed a particular and demonstrable threat to public safety.
- Allow a township board to adopt an ordinance to close a road to the operation of ORVs under a county ordinance.
- Delete existing provisions that allow local units to adopt ordinances authorizing access routes along streets and roads.
- Specify that the local ordinance provisions and any ordinance adopted under them would apply until five years after the bill's effective date.
- Require a person younger than 18 to possess an ORV safety certificate, and either possess a driver license or operate under the direct supervision of a parent or guardian in order to operate an ORV under a local ordinance.
- Prohibit a person under the age of 12 from operating an ORV under a local ordinance.
- Designate a violation of a local ordinance as a municipal civil infraction, and subject a violator to a civil fine and the costs of repairing any damage he or she caused.
- Require the fine revenue and damages to be deposited into a local unit's "ORV Fund", and allocate half to the local law enforcement unit, and half to the entity responsible for street and road maintenance.
- Increase the minimum fine for certain misdemeanor violations.

- The House concurred with the Senate substitute S-3 [RC 685: 102 yes, 0 no]

HB 4854

(Alma Smith)

Require divestment of state funds in any Sudanese business or interests.

- The House concurred in the Senate substitute S-2 [RC 686: 105 yes, 0 no]

HB 5559**(Polidori)**

Each bill would amend the Insurance Code to specify that if the commissioner of the Office of Financial and Insurance Services (OFIS) disapproves a rate filing because the rates are excessive or unfairly discriminatory, he or she could order a refund of premiums to affected policyholders (as long as the amount is substantial and equals or exceeds the cost of making the refund). House Bill 5558 would apply to automobile and home insurance rates and would amend Section 2114, which allows a person or organization aggrieved by a rate filing to request the commissioner of OFIS to hold a hearing. House Bill 5559 would amend Section 2418, which deals with casualty insurance rates, and Section 2618, which deals with fire and inland marine rates.

- The House concurred in the Senate substitute S-1 [RC 687: 104 yes, 1 no]
- Enrollment vacated
- IE was ordered

HB 5681**(Tobocman)**

The bill (H-4) would amend the Nonprofit Corporation Act to do all of the following:

-- Prohibit a "charitable purpose corporation" from providing loans or guarantees to an officer or director, unless he or she also was a client and the loan or guarantee was necessary to carry out the corporation's charitable purposes.

-- Require a charitable purpose corporation that automatically dissolved because it neglected or failed to file annual reports or pay annual fees to notify the Attorney General of the dissolution within 60 days.

-- Prohibit a charitable purpose corporation that automatically dissolved from disposing of its assets without the Attorney General's approval.

"Charitable purpose corporation" would mean a nonprofit corporation that is any of the following:

-- Exempt or qualified for exemption under Section 501(c)(3) of the Internal Revenue Code.

-- A corporation whose purposes, structure, or activities are exclusively those that are described in Section 501(c)(3).

-- A corporation organized or held out to be organized exclusively for one or more charitable purposes.

- The House concurred in the Senate substitute S-1 [RC 688: 101 yes, 0 no]

HB 4903**(Knollenberg)**

Prohibit investing state assets in corporations doing business in certain countries.

- The House concurred in the Senate substitute S-3 [RC 689: 105 yes, 0 no]

HB 5972**(Coulouris)**

Hemlock Semiconductor: The bill would add Section 432 to the MBT Act to allow a qualified taxpayer that had entered into an agreement with the Michigan Economic Growth Authority (MEGA), providing that the taxpayer would construct and operate a new or expanded facility described in the agreement for the manufacture of polycrystalline silicon, to claim a credit against the MBT for 12 years, calculated as provided in Sections 432a to 432d (proposed by House Bill 5973 (S-1), Senate Bills 1267 and 1268, and House Bill 5976 (S-1)). This credit would have to be taken after all other credits provided under the MBT Act. The Authority could not enter into more than one agreement under the bill and could not enter into an agreement after September 30, 2008.

- The House concurred in the Senate substitute S-2 [RC 691: 105 yes, 0 no]

HB 5973**(Mayes)**

Hemlock Semiconductor: Under House Bill 5973 (S-1), for tax years beginning after December 31, 2011, and before January 1, 2016, a qualified taxpayer that received a certificate under proposed Section 432 of the MBT Act could claim a credit equal to the product obtained by multiplying the qualified consumption of electricity times the difference between the guaranteed cost of electricity and the actual delivered price of electricity billed to the qualified taxpayer under a tariff rate approved by the Public Service Commission or the projected cost of electricity, whichever was less.

- The House concurred in the Senate substitute S-1 [RC 692: 105 yes, 0 no]

HB 5976**(Horn)**

Hemlock Semiconductor: Under House Bill 5976 (S-1), for the 2023 tax year, a qualified taxpayer that received a certificate could claim a credit equal to the product obtained by multiplying 25% of the qualified consumption of electricity times the difference between the projected cost of electricity and the guaranteed cost of electricity.

- The House concurred in the Senate substitute S-1 [RC 693: 105 yes, 0 no]

HB 6208**(Clemente)**

The bill (S-1) would amend the Michigan Strategic Fund (MSF) Act to require the Fund to operate the "Choose Michigan Fund" program to invest in loans to qualified businesses for the promotion and enhancement of significant job creation or retention within Michigan. The bill would do the following:

- Provide that the Choose Michigan Fund could not make a loan after September 30, 2008.
- Require the program to operate on an incentive basis.
- Allow two of the loans to be forgiven.
- Establish a minimum loan amount of \$500,000 and a maximum term of 10 years.
- Allow the MSF board to convert a loan to an equity investment.

-- Require immediate repayment if a qualified business closed or relocated outside of Michigan within three years after the term of its loan.

- The House concurred in the Senate substitute S-1 [RC 697: 102 yes, 0 no]

FINAL PASSAGE

SB 294

(Jansen)

Senate Bill 294 would allow a property tax abatement under certain conditions for a retail food establishment, such as a grocery store, supermarket, or delicatessen, that sells fresh meat and poultry products, fresh fruits and vegetables, and dairy products. Generally speaking, the store would have to be in an "underserved area" and the property would need to have been used as residential, commercial, or industrial property for the immediately preceding 30 years. The abatement would be granted locally, by a city, village, or township.

- Meisner substitute H-2 adopted
- Tobocman 1A adopted
- SB 294 advanced to 3rd Reading
- SB 294 was passed [RC 619: 101 yes, 0 no]
- IE was ordered

HB 6214

(Hopgood)

DHS: Under the bill, beginning January 1, 2009, for each new case of child care subsidy opened under the act, the department would be required to conduct an eligibility review once every 180 days. For parents or guardians who were receiving a child care subsidy before January 1, 2009, the department would conduct an eligibility review once every 180 days starting from the parent's or guardian's next review date.

- HB 6214 advanced to 3rd Reading
- HB 6214 was passed [RC 620: 101 yes, 0 no]
- IE was ordered

HB 6215

(Johnson)

DHS: Under the bill, a parent or guardian receiving a child care subsidy from the department would be required to submit, every three months, proof of his or her work, school, or other schedule that demonstrates the continued need for the child care subsidy. The required schedule may be submitted in person, by mail, or by electronic means.

- HB 6215 advanced to 3rd Reading
- HB 6215 was passed [RC 621: 102 yes, 0 no]

HB 6216**(Dean)**

DHS: The bill would require the department to develop and make available to parents, day care aides, and relative care providers a health and safety checklist for use by a parent or guardian receiving a child care subsidy. Upon initial application, the day care aide or relative care provider and the parent or guardian of each child being cared for would complete and return to the department (or agency authorized by the department) a health and safety checklist for use by a parent or guardian receiving a child care subsidy.

- HB 6216 advanced to 3rd Reading
- HB 6216 was passed [RC 622: 94 yes, 7 no]
- IE was ordered

HB 6217**(Byrum)**

DHS: The bill would prohibit a day care aide or relative care provider enrolled by the department and receiving a child care subsidy from the department from providing child care for more than four children at any one time, except that the department would have the authority to grant exceptions for sibling groups up to not more than six children at one time.

- Schuitmaker-1 adopted
- HB 6217 advanced to 3rd Reading
- HB 6217 was passed [RC 623: 70 yes, 32 no]

SB 970**(Allen)**

Senate Bill 970 would amend the Downtown Development Authority (DDA) Act to allow the board of a DDA to create, operate, and fund retail business incubators and to require a DDA board to give preference to tenants who would provide goods or services that were unavailable or underserved in the downtown area, if it were the express determination of the board to create, operate, or fund a retail business incubator. The bill would specify the terms of leases for occupants of occupants; leases would be limited to 18 months' duration.

- Committee substitute H-1 adopted
- Meisner substitute H-2 adopted
- SB 970 advanced to 3rd Reading
- SB 970 was passed [RC 634: 107 yes, 0 no]
- IE was ordered

SB 972**(Hunter)**

Senate Bill 972 would amend the DDA Act to allow the board of a DDA to create, operate, and fund a loan program to pay for improvements for existing buildings located in a downtown district, in order to make them marketable for sale or lease. The board could make loans with interest at a market rate or at a below-market rate, as determined by the board.

- Meisner substitute H-1 adopted
- SB 972 advanced to 3rd Reading
- SB 972 was passed [RC 635: 107 yes, 0 no]
- IE was ordered

SB 976

(Gilbert)

Senate Bill 976 would amend the NEZ Act so that the term "new facility" would include a new structure or a portion of a new structure that is all of the following: (1) rented or leased or available for rent or lease; (2) a mixed use building or located in a mixed use building that contains retail business space on the street level floor; and (3) located in a qualified downtown revitalization district.

- Johnson-1 adopted
- SB 976 advanced to 3rd Reading
- SB 976 was passed [RC 636: 107 yes, 0 no]
- IE was ordered

SB 978

(Stamas)

The bill would require the board of the Natural Resources Trust Fund to give particular consideration to the acquisition of land and rights in land for trails that intersect downtown areas when the board prepares the annual list of lands and public recreation facilities it has prioritized for acquisition or development. Under Part 19 of the Natural Resources and Environmental Protection Act, the board of the Natural Resources Trust Fund must determine which land and rights in land within Michigan should be acquired and which public recreation facilities should be developed with money from the Natural Resources Trust Fund. Each January, the board must submit to the Legislature a list of the land and rights in land and the public recreation facilities that the board has determined should be acquired or developed with Trust Fund money, compiled in order of priority. Under the bill, in preparing that list, the board would have to give particular consideration to the acquisition of land and rights in land for recreational trails that intersect the downtown areas of cities and villages.

- SB 978 advanced to 3rd Reading
- SB 978 was passed [RC 637: 107 yes, 0 no]
- IE was ordered

SB 980

(Pappageorge)

Under the General Property Tax Act, local assessing districts in certain distressed areas can provide a tax exemption for new personal property owned or leased by certain eligible businesses. To be eligible for the property tax exemption, a business must be engaged primarily in manufacturing, mining, research and development, wholesale trade, or office operations. Additionally, the business must be located within an industrial development district, renaissance zone, enterprise zone, brownfield redevelopment zone, empowerment zone, tax increment financing district, or downtown development district within a city, village, or township that

contains a "distressed area," as that term is defined under the State Housing Development Authority Act.

Senate Bill 980 would also allow an exemption for all new personal property owned or leased by an eligible business located in one or more "distressed parcels." (MCL 211.9f)

A "distressed parcel" would mean a parcel of real estate in a city or village that is (1) located in a qualified downtown revitalization district, (2) is zoned to allow for mixed use, and (3) either has a blighted or functionally obsolete building located on the parcel or is a vacant parcel that previously had been occupied.

"Qualified downtown revitalization district" would mean an area located within a downtown district, a principal shopping district, a business improvement district, or an area that is zoned and primarily used for business as determined by the local governmental unit. "Blighted" and "functionally obsolete" would mean those terms as defined in the Brownfield Redevelopment Financing Act.

- SB 980 advanced to 3rd Reading
- SB 980 was passed [RC 638: 105 yes, 0 no]
- IE was ordered

HB 6218

(Spade)

DHS: The bill would require a day care aide or relative care provider to maintain time and attendance records for each child in his or her care. The day care aide or relative care provider would submit the time and attendance records every two weeks by telephone or using the department's website. Each parent or guardian receiving a child care subsidy under the act would be required to report the hours his or her child spent in child care to the department every two weeks. Before the department could pay a child care subsidy to the provider, it would have to compare the information received from the parent or guardian and the day care aide or relative care provider to determine the accuracy of the reporting. If the department determines that there has been fraudulent reporting or time, attendance, or hours needed for child care, the person submitting the fraudulent report would be subject to the penalties prescribed under the act.

- Hildenbrand-1 withdrawn
- Hildenbrand-2 adopted
- HB 6218 advanced to 3rd Reading
- HB 6218 was passed [RC 654: 100 yes, 7 no]
- IE was ordered

HB 6219

(Byrnes)

The bill would require the Department of Human Services to make orientation and training sessions available to all applicants for day care aide and relative care provider. The orientation would include but not be limited to topics regarding cardiopulmonary resuscitation, safe sleep, shaken baby syndrome, health and safety checklists, and attendance reporting. Beginning October 1, 2008, the department would have to implement a pilot program to carry out the provisions of the orientation and training session to new day care aide and new relative care provider applicants in a location to be determined by the department. Any day care aide or

relative care provider enrolled in the location of the pilot program, after it has been implemented, would be required to attend the orientation session. The department would terminate the pilot program no later than July 1, 2009. The department would have to submit a report to the legislature no later than July 1, 2009 regarding the pilot program including any recommendations resulting from the implementation of it.

- HB 6219 advanced to 3rd Reading
- HB 6219 was passed [RC 639: 74 yes, 31 no]
- IE was ordered

HB 6220 (Corriveau)

DHS: The bill would require, at the time a parent or guardian applies for a child care subsidy, that the department make available to the parent or guardian information on all options in choosing child care and other educational resources for the child.

- Stahl-1 adopted
- HB 6220 advanced to 3rd Reading
- SB 6220 was passed [RC 640: 105 yes, 0 no]
- IE was ordered

HB 6221 (Melton)

DHS: The bill would require the department, prior to enrolling an individual as a day care aide or relative care provider to provide child care, to conduct a criminal history check on the individual as provided under the Michigan Long Term Care Partnership Workforce Background Checks model.

- Committee substitute H-1 adopted
- Melton-2 adopted
- HB 6221 advanced to 3rd Reading
- HB 6221 was passed [RC 641: 81 yes, 25 no]
- IE was ordered

SB 658 (McManus)

The bill would amend Public Act 20 of 1943 to authorize the governing body of a public corporation to invest assets of an oil and gas trust fund in the same manner as an investment fiduciary can invest assets under the Public Employee Retirement System Investment Act. Specifically, this applies to a public corporation that has a long-term or perpetual trust fund consisting of money and royalties or money derived from oil and gas exploration on property or mineral rights owned by the public corporation. A governing body would provide its investment officer with this authority by adopting a resolution. The bill would apply despite any law or charter provision to the contrary.

- SB 658 advanced to 3rd Reading
- SB 658 was passed [RC 644: 104 yes, 3 no]
- IE was ordered

HB 5750

(K. Law)

The bill would amend the Motor Fuels Quality Act to create an Alternative Fuels Fund within the state treasury.

- Committee substitute H-1 adopted
- HB 5750 advanced to 3rd Reading
- HB 5750 was passed [RC 645: 107 yes, 0 no]
- IE was ordered

HB 5769

(Mayes)

The bill (H-1) would extend the sunset of the Renewable Fuels Commission Act, which created the Renewable Fuels Commission within the Department of Agriculture, from January 1, 2010 to January 1, 2012. Under the bill, the Commission would be required to report on the supply and production of alternative fuels in Michigan in addition to its current duties.

- Committee substitute H-1 adopted
- HB 5769 advanced to 3rd Reading
- HB 5769 was passed [RC 646: 107 yes, 0 no]
- IE was ordered

HB 5748

(Walker)

The bill would amend Section 3(6) the Motor Fuels Quality Act (MCL 290.643) to require that the director of the Department of Agriculture make available for public comment proposed standards to ensure the purity and quality of diesel fuel that is biodiesel or a biodiesel blend – including, but not limited to, a blend designated as B20 – by June 1, 2009.

- Committee substitute H-1 adopted
- HB 5748 advanced to 3rd Reading
- HB 5748 was passed [RC 647: 106 yes, 1 no]
- IE was ordered

HB 5862

(Ball)

This package of bills would provide a tax exemption for machinery (1) that is capable of simultaneously harvesting grain and other crops and biomass residue from grain and other crops, or (2) machinery manufactured after the effective date of the bills for the purpose of harvesting agricultural biomass grown solely as an energy source. In each case, the exemption would be added where existing exemptions for agricultural machinery exist. In each bill, the term "biomass" means crop residue used to produce energy or agricultural crops grown specifically

for the production of alternative energy. House Bill 5862 would amend the General Sales Tax Act (MCL 205.54a). and House Bill 5877 would amend the Use Tax Act (MCL 205.94) to provide an exemption for sales of such machinery. House Bill 5874 would amend the General Property Tax Act (MCL 211.9) to provide an exemption from property taxes for such machinery.

- Ball-1 adopted
- HB 5862 advanced to 3rd Reading
- HB 5862 was passed [RC 648: 106 yes, 0 no]
- IE was ordered

HB 5874 (McDowell)

- Mayes-1 adopted
- HB 5874 advanced to 3rd Reading
- HB 5874 was passed [RC 649: 107 yes, 0 no]
- IE was ordered

HB 5877 (Condino)

- Mayes-1 adopted
- HB 5877 advanced to 3rd Reading
- HB 5877 was passed [RC 650: 107 yes, 0 no]
- IE was ordered

HB 4896 (Wojno)

The bill would amend the Public Health Code by adding Section 2832a to allow an adopted individual born in this state who is 21 years or older to obtain a certified copy of his or her original certificate of live birth that was sealed from inspection under the Code.

- Wojno substitute adopted
- HB 4896 advanced to 3rd Reading
- HB 4896 was passed [RC 659: 99 yes, 8 no]
- IE was ordered

HB 5745 (Hansen)

The bill would create a new act to require the Michigan Department of Agriculture to do the following:

- Review all information available within any agency or department of state government on the establishment of alternative fuel production facilities in Michigan.
- Compile, in a concise and readable form (written or electronic), information about application and approval procedures for establishing alternative fuel production facilities in Michigan.
- Publish this information, in written or electronic form, broken down by category, including biodiesel fuel, ethanol, and others.

- Indicate which procedures and processes are housed in the Department of Environmental Quality (DEQ), the Department of Labor and Economic Growth (DLEG) , and the Michigan Economic Development Corporation (MEDC).

In addition, the Department of Agriculture could, but would not be required to, do the following:

- Identify mechanisms for effective communication and coordination of efforts between state and local governments, private industry, and higher education institutions concerning research into and promotion of alternative fuels.
- Review any state regulation that could hinder the use, research, and development of alternative fuels and vehicles that are able to use alternative fuels and recommend changes to the Governor and the Legislature.

- HB 5745 advanced to 3rd Reading
- HB 5745 was passed [RC 651: 104 yes, 3 no]
- IE was ordered

HB 5747

(Lahti)

The bill would amend Section 2 of Public Act 205 of 1941 to require the State Department of Transportation to allow and approve "logo signage" within the right-of-way of limited access highways (such as freeways) to identify businesses that sell alternative fuels at retail and to indicate the type or types of alternative fuels sold. "Alternative fuels" would mean biodiesel, biodiesel blend, or E85 fuel, as those terms are defined in Section 78 of the Michigan Strategic Fund Act. Any revenue received under existing "logo signage" agreements entered into by the Transportation Department is deposited into the State Trunk Line Fund. This would also be the case with any revenue from "alternative fuel" logo signage agreements.

- HB 5747 advanced to 3rd Reading
- HB 5747 was passed [RC 652: 99 yes, 8 no]
- IE was ordered

HB 5774

(Hopgood)

As reported from committee, the bill would amend the Michigan Strategic Fund Act to require the technology transfer program created by that act "to accelerate the transfer of technology from Michigan's institutions of higher education." The program would be specifically charged with helping with the following things:

- Identification of commercial potential in advance technologies from individual institutions.
- Bundling inventions from individual institutions into packages of possible interest to private sector firms.
- Encouraging business formation efforts in higher education technology transfer offices.
- Encouraging institutions to provide incentives to their faculty for participating.

- Committee substitute H-1 adopted
- HB 5774 advanced to 3rd Reading
- HB 5774 was passed [RC 653: 106 yes, 0 no]
- IE was ordered

SB 1206

(Allen)

The bill (S-2) would amend the Michigan Renaissance Zone Act to do both of the following:

-- Allow the board of the Michigan Strategic Fund (MSF) to choose a beginning date of January 1 for a renaissance zone designation, up to five years after the designation of certain renaissance zones.

-- Extend to all tax years a provision allowing a business, in tax years beginning on or after January 1, 2006, to receive tax exemptions under the Act even though it failed to file a single business tax (SBT) return, if the business had no SBT liability for the tax year for which it failed to file a return.

Under the Act, the designation of a renaissance zone takes effect on January 1 in the year following designation. Under the bill, for designations made under Section 8a(2), the MSF board could choose a beginning date, provided that the date was January 1 and was not more than five years after the designation date. The MSF board could provide that the beginning date be determined under a written agreement between it and the qualified local governmental unit in which the renaissance zone was to be located. (Under Section 8a(2), the MSF board may designate up to 17 renaissance zones in addition to the zones designated by the State Administrative Board. The MSF board may designate not more than one of the 17 zones as an alternative energy zone; not more than eight as redevelopment renaissance zones; and not more than one as a pharmaceutical recovery renaissance zone.)

- SB 1206 advanced to 3rd Reading
- SB 1206 was passed [RC 655: 106 yes, 0 no]
- IE was ordered

SB 974

(Richardville)

Senate Bill 974 would reactivate the Commercial Redevelopment Act to allow new tax abatements for a new or replacement facility in a redevelopment district in a city or village, on property zoned for mixed-use (including high-density residential use) that was located in a qualified downtown revitalization district. The bill is tie-barred to Senate Bill 976.

- SB 974 advanced to 3rd Reading
- SB 974 was passed [RC 656: 106 yes, 1 no]
- IE was ordered

HB 5944

(Jackson)

The bill would amend the State Employees' Retirement Act to provide "early-out" retirement options for employees of the Bureau of Juvenile Justice (BJJ) within the Department of Human Services who are laid off or displaced during a specified time period. As amended in Committee, the "early-out" options would apply to employees who were employed as of October 1, 2007 but who were or are laid off or displaced on or after that date and on or before September 30, 2009. BJJ employees who are younger than age 62 but whose age and years of service total 70 would be able to retire with a full pension without reductions based on age if they are younger

than 62; employees whose age and years of service total 75 could retire with an enhanced pension.

- Amendments adopted
- Shenn amendment adopted [RC 657: 68 yes, 34 no]
- Miller substitute H-2 adopted
- HB 5944 advanced to 3rd Reading
- HB 5944 was passed [RC 658: 100 yes, 7 no]
- IE was ordered

HB 6239 (Ebli)

Eliminate prohibition for a truck trailer to tow both a slasher and saw unit.

- Committee substitute H-1 adopted
- HB 6239 advanced to 3rd Reading
- HB 6239 was passed [RC 660: 107 yes, 0 no]
- IE was ordered

HB 5996 (Leland)

Investing surplus treasury funds in compliance with certain requirements.

- Discharged from committee
- HB 5996 advanced to 3rd Reading
- HB 5996 was passed [RC 664: 107 yes, 0 no]
- IE was ordered

HB 5997 (Angerer)

Michigan strategic funds in compliance with certain requirements

- HB 5997 discharged from committee
- HB 5997 advanced to 3rd Reading
- HB 5997 was passed [RC 665: 107 yes, 0 no]
- IE was ordered

HB 5998 (Valentine)

Prohibit investing with companies doing business with certain countries.

- HB 5998 discharged from committee
- Substitute H-1 adopted
- HB 5998 advanced to 3rd Reading
- HB 5998 was passed [RC 666: 106 yes, 0 no]
- IE was ordered

HB 5999**(Meisner)**

Divestment requirements for state lottery fund.

- HB 5999 discharged from committee
- HB 5999 advanced to 3rd Reading
- HB 5999 was passed [RC 667: 106 yes, 0 no]
- IE was ordered

SB 848**(Pappageorge)**

Divestment package.

- SB 848 discharged from committee
- SB 848 advanced to 3rd Reading
- SB 848 was passed [RC 668: 105 yes, 0 no]
- IE was ordered

SB 849**(Richardville)**

Divestment package.

- SB 849 discharged from committee
- SB 849 advanced to 3rd Reading
- SB 849 was passed [RC 669: 103 yes, 1 no]
- IE was ordered

SB 850**(Olshove)**

Divestment package.

- SB 850 discharged from committee
- SB 850 advanced to 3rd Reading
- SB 850 was passed [RC 670: 106 yes, 0 no]
- IE was ordered

SB 852**(Garcia)**

Divestment package.

- SB 852 was discharged from committee
- SB 852 advanced to 3rd Reading
- SB 852 was passed [RC 671: 106 yes, 0 no]
- IE was ordered

SB 853**(Clarke)**

Divestment package.

- SB 853 was discharged from committee
- SB 853 advanced to 3rd Reading
- SB 853 was passed [RC 672: 106 yes, 0 no]
- IE was ordered

SB 856**(Jansen)**

Divestment package.

- SB 856 was discharged from committee
- SB 856 advanced to 3rd Reading
- SB 856 was passed [RC 673: 106 yes, 0 no]
- IE was ordered

HB 5828**(Mayes)**

Provide for retroactivity for posthumous adoptions and medical assistance payments.

- HB 5828 was discharged from committee
- Mayes amendments adopted
- HB 5828 advanced to 3rd Reading
- HB 5828 was passed [RC 674: 105 yes, 0 no]
- IE was ordered

SB 1217**(Cassis)**

Under one element of the recently enacted Michigan Business Tax, firms are subject to a tax of 0.8 percent on a firm's gross receipts, less its purchases from other firms. House Bill 6031 and Senate Bill 1217 would both amend the Michigan Business Tax (MBT) Act (MCL 208.1113) to amend the definition of "purchases from other firms" as it applies to general building contractors, heavy construction contractors, and construction special trade contractors that do not qualify for a small business credit under Section 417. For those companies, the definition would apply to "payments for materials deducted as purchases in determining the cost of goods sold for the purpose of calculating total income on the taxpayer's federal income tax return." These payments would, then, not be counted in the gross receipts tax base.

- Substitute H-2 adopted
- SB 1217 advanced to 3rd Reading
- SB 1217 was passed [RC 675: 106 yes, 0 no]
- IE was ordered

HB 4173**(Donigan)**

The bill would amend the Michigan Memorial Highway Act to designate those portions of Highway US-127 in Lenawee and Gratiot Counties the "Annie Oakley Memorial Trail."

- HB 4173 advanced to 3rd Reading
- HB 4173 was passed [RC 679: 99 yes, 8 no]
- IE was ordered

HB 4599**(Proos)**

The bill would amend the Michigan Memorial Highway Act to designate a portion of Highway M-63 in Berrien County the "Harry Gast Parkway."

- HB 4559 advanced to 3rd Reading
- HB 4559 was passed [RC 680: 100 yes, 7 no]
- IE was ordered

HB 6029**(Simpson)**

The bill would amend the Michigan Memorial Highway Act to designate Highway M-188 in Eaton County as the "Elgie G. Hanna Memorial Highway."

- HB 6029 advanced to 3rd Reading
- HB 6029 was passed [RC 681: 105 yes, 1 no]
- IE was ordered

SB 1243**(Jansen)**

Senate Bill 1243 (H-1) would amend the State Housing Development Authority Act (MCL 125.1402 et al.) to do the following:

- Require the Michigan Community Housing and Development Authority to develop a biennial allocation plan for the Housing and Community Development Fund, rather than an annual allocation plan, as currently required.
- Expand ways to use the Housing and Community Development Fund so as to include funding for projects in downtown areas and adjacent neighborhoods, foreclosure prevention and assistance, assistance with individual development accounts, activities related to combating homelessness, technical assistance to certain entities, and predatory lending prevention and relief.
- Establish a 10-member Advisory Committee to recommend allocations for the fund and monitor the process of awarding grants from it.
- Repeal the Michigan Housing and Community Development Fund Act (since all of the necessary provisions relating to the Fund are contained in the act governing the authority).

- Substitute H-1 adopted
- SB 1243 advanced to 3rd Reading

- SB 1243 was passed [RC 682: 106 yes, 1 no]
- IE was ordered

SB 886

(Gilbert)

The bill (S-2) would amend the General Property Tax Act to allow property that qualified as a principal residence to continue to qualify as a principal residence for three years after all or any portion of the dwelling or unit included in or constituting the principal residence was rented or leased to another person as a residence, if the owner of the dwelling or unit were absent while on active duty in the Armed Forces of the United States and the dwelling or unit otherwise would qualify as the owner's principal residence. The owner would have to file an affidavit with the assessor of the local tax collecting unit by May 1 (or, for 2008 only, by December 31) attesting that it was his or her intent to occupy the dwelling or unit as a principal residence upon completion of active duty in the Armed Forces. A copy of the affidavit would have to be forwarded to the Department of Treasury pursuant to a schedule prescribed by the Department.

- SB 886 advanced to 3rd Reading
- SB 886 was passed [RC 684: 105 yes, 0 no]
- IE was ordered

SB 1267

(Stamas)

Hemlock Semiconductor MBT tax credit.

- SB 1267 was discharged from committee
- SB 1267 advanced to 3rd Reading
- SB 1267 was passed [RC 694: 105 yes, 0 no]
- IE was ordered

SB 1268

(Barcia)

Hemlock Semiconductor MBT tax credit.

- SB 1268 was discharged from committee
- SB 1268 advanced to 3rd Reading
- SB 1268 was passed [RC 695: 105 yes, 0 no]
- IE was ordered

SB 1270

(Kahn)

Hemlock Semiconductor MBT tax credit.

- SB 1270 was discharged from committee
- SB 1270 advanced to 3rd Reading
- SB 1270 was passed [RC 696: 105 yes, 0 no]
- IE was ordered

SB 1038

(Cassis)

Modifications to the definition of “gross receipts” in the MBT.

- Substitute H-3 adopted
- Gillard substitute H-11 adopted
- Bieda amendment adopted
- SB 1038 advanced to 3rd Reading
- SB 1038 was passed [RC 698: 103 yes, 1 no]

MOTIONS AND RESOLUTIONS

HR 285

(Polidori)

A resolution to encourage the Office of Financial and Insurance Regulations to work cooperatively with all stakeholders to facilitate the offering of insurance discounts for alternative energy vehicles in Michigan.

- HR 285 was adopted

HR 155

(Sak)

A resolution to memorialize the Congress of the United States to enact the Hearing Aid Assistance Tax Credit Act.

- HR 155 discharged from committee
- HR 155 was adopted

SCR 30

(Cropsey)

A concurrent resolution prescribing the legislative schedule.

- SCR 30 was adopted